

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Robert Sam Raisch, Jr.,

Case No. 19-cv-894 MJD/ECW

Petitioner,

v.

ORDER

Eddie Miles,

Respondent.

This matter is before the Court on the Order and Report and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated July 29, 2021 recommending the Court dismiss the petition filed pursuant to 28 U.S.C. § 2254. [Doc. No. 20] Petitioner has filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, and in consideration of the applicable law, the Court will adopt the Report and Recommendation in its entirety.

IT IS HEREBY ORDERED that

- 1 Petitioner Robert Sam Raisch, Jr.'s Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [Doc. 1] is **DISMISSED WITH PREJUDICE**.
- 2 Petitioner Robert Sam Raisch, Jr.'s Pro Se Motion for Clarification of Facts and Correction of Materially Prejudicial False Statements by Respondents [Doc. 18] is **DENIED** as moot.
- 3 No certificate of appealability shall be issued.

LET JUDGEMENT BE ENTERED ACCORDINGLY.

DATED: September 21, 2021

s/Michael J. Davis

MICHAEL J. DAVIS

United States District Court